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EXAMINER

DODDS, HAROLD E

ART UNIT PAPER NUMBER

2177

DATE MAILED: 03/26/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/706,098

Applicant(s)

FADEL ET AL.

Examiner

Harold E. Dodds, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s).

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The description portion of this application contains a computer program listing consisting of more than three hundred (300) lines. In accordance with 37 CFR 1.96(c), a computer program listing printout of more than three hundred lines must be submitted as a computer program listing appendix on compact disc conforming to the standards set forth in 37 CFR 1.96(c)(2) and must be appropriately referenced in the specification (see 37 CFR 1.77(b)(4)). Accordingly, applicant is required to cancel the computer program listing appearing in the specification on pages 1-299 of the Appendix

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to the Specification, file a computer program listing appendix on compact disc in compliance with 37 CFR 1.96(c) and insert an appropriate reference to the newly added computer program listing appendix on compact disc at the beginning of the specification.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1, 4, and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi (U.S. Patent No. 6,529,918), Park (U.S. Patent No. 6,058,375), Ciarlante et al. (U.S. Patent No. 6,532,488), Stern (U.S. patent No. 6,366,914), Tavor et al. (U.S. Patent No. 6,070,149), Bieganski et al. (U.S. Patent No. 6,334,127), and Suzuki (U.S. Patent No. 6,313,745).

6. Takahashi renders obvious independent claim 1 by the following:

"...a web database server connected to the Internet..." at col. 6, lines 55-56 and col. 10, lines 54-58.

"...and means for installing and managing the integrated operation..." at col. 6, lines 14-23, col. 7, lines 53-54, and col. 3, lines 54-56.

"...which executes on said web database server..." at col. 7, lines 10-13 and col. 6, lines 55-56.

Takahashi does not teach the storing of product, customer, and sales transaction data, the use of a set of application programs, the use of a storefront applications, the use of content management applications for creating and updating product data, the use of analysis of the customer and sales transaction data for predicting the preferences of individual customers and making real-time recommendations during shopping sessions, the presenting of advertising to customers during shopping sessions, and the analyzing of sales transaction data to generate reports.

7. However, Park teaches the storing of product, customer, and sales transaction data and the analyzing of sales transaction data to generate reports as follows:

"...for storing product, customer and sales transaction data..." at col. 11, lines 19-25, col. 29, lines 47-50, col. 29, lines 25-27, and col. 6, lines 17-24.

"...and a reporting system for analyzing said sales transaction data to generate reports..." at col. 5, lines 44-59, col. 6, lines 17-24, and col. 4, lines 32-34.

It would have been obvious to one of ordinary skill at the time of the invention to combine Park with Takahashi since both Takahashi and Park teach the use of computers, the use of databases, the use of networks, the use of transactions, and the use of management.

Park does not teach the use of a set of application programs, the use of a storefront applications, the use of content management applications for creating and updating product data, the use of analysis of the customer and sales transaction data for predicting the preferences of individual customers and making real-time recommendations during shopping sessions, and the presenting of advertising to customers during shopping sessions.

8. However, Ciarlante teaches the use of a set of application programs and the use of a storefront application executing on the web server as follows:
“...of a cooperating set of separate application program modules comprising...” at col. 2, lines 18-20.
“...a storefront application...” col. 4, lines 25-27.

It would have been obvious to one of ordinary skill at the time of the invention to combine Ciarlante with Takahashi and Park since Takahashi, Park, and Ciarlante teach the use of computers, the use of databases, the use of networks, and the use of management, Takahashi and Ciarlante teach the use of servers, the use of the Internet, and the use of applications or programs, and Park and Ciarlante teach the use of customers, the use of products, and the use of reports.

Ciarlante does not teach the use of content management applications for creating and updating product data, the use of analysis of the customer and sales transaction data for predicting the preferences of individual customers and making real-time recommendations during shopping sessions, and the presenting of advertising to customers during shopping sessions.

9. However, Stern teaches the use of content management applications for creating and updating product data as follows:

"...a content management application for creating and updating product data stored on said database server..." at col. 8, lines 37-39, col. 8, lines 55-57, and col. 15, lines 16-19.

It would have been obvious to one of ordinary skill at the time of the invention to combine Stern with Takahashi, Park, and Ciarlante since Takahashi, Park, Ciarlante, and Stern teach the use of computers, the use of databases, the use of networks, and the use of management, Takahashi, Park, and Stern teach the use of transactions, Takahashi, Ciarlante, and Stern teach the use of servers, the use of the Internet, and the use of applications or programs, and Park, Ciarlante, and Stern teach the use of customers, the use of products, and the use of reports.

Stern does not teach the use of analysis of the customer and sales transaction data for predicting the preferences of individual customers and making real-time recommendations during shopping sessions, and the presenting of advertising to customers during shopping sessions.

10. However, Travor teaches the use of analysis of the customer and sales transaction data as follows:

"...a recommendation system for analyzing said customer and sales transaction data..." at col. 8, lines 1-4, at col. 5, lines 56-60, col. 3, lines 11-18.

It would have been obvious to one of ordinary skill at the time of the invention to combine Travor with Takahashi, Park, Ciarlante, and Stern since Takahashi, Park, Ciarlante, Stern, and Travor teach the use of computers, the use of databases, the use of networks, and the use of management, Takahashi, Park, Stern, and Travor teach the use of transactions, Takahashi, Ciarlante, Stern, and Travor teach the use of servers, the use of the Internet, and the use of applications or programs, Park, Ciarlante, Stern, and Travor teach the use of customers, the use of products, and the use of reports, and Park, Stern, and Travor teach the use of sales.

Travor does not teach the predicting of the preferences of individual customers and making real-time recommendations during shopping sessions, and the presenting of advertising to customers during shopping sessions.

11. However, Bieganski teaches the predicting of the preferences of individual customers and the presenting of advertising to customers as follows:

"...for predicting the preferences of individual customers..." at col. 1, lines 38-40 and col. 18, lines 17-19.

"...an advertising management application for selectively presenting advertising to each customers..." at col. 16, lines 24-28 and col. 18, lines 17-19.

It would have been obvious to one of ordinary skill at the time of the invention to combine Bieganski with Takahashi, Park, Ciarlante, Stern, Travor since Takahashi, Park, Ciarlante, Stern, Travor, and Bieganski teach the use of computers, the use of databases, and the use of networks, Takahashi, Park, Stern, Travor, and Bieganski teach the use of transactions, Takahashi, Ciarlante, Stern, Travor, and Bieganski teach the use of servers, the use of the Internet, and the use of applications or programs, Park, Ciarlante, Stern, Travor, and Bieganski teach the use of customers and the use of products, and Park, Stern, Travor, and Bieganski teach the use of sales.

Bieganski does not teach the making real-time recommendations during shopping sessions.

12. However, Suzuki teaches the making real-time recommendations during shopping sessions as follows:

"...and making specific real-time recommendations during a shopping session..." at col. 4, lines 8-11, col. 8, lines 28-35, and col. 8, lines 43-46.

It would have been obvious to one of ordinary skill at the time of the invention to combine Suzuki with Takahashi, Park, Ciarlante, Stern, Travor, and Bieganski since Takahashi, Park, Ciarlante, Stern, Travor, Bieganski, and Suzuki teach the use of computers, the use of databases, and the use of networks, Takahashi, Ciarlante, Stern, Travor, Bieganski, and Suzuki teach the use of servers, Park, Ciarlante, Stern, Travor, Bieganski, and Suzuki teach the use of customers and the use of products, and Park, Stern, Travor, Bieganski, and Suzuki teach the use of sales.

13. As per claim 4, the "...said means for installing and managing the integrated operation..." is taught by Takahashi at col. 6, lines 14-23, col. 7, lines 53-54, and col. 3, lines 54-56, the "...of said application program modules..." is taught by Ciarlante at col. 2, lines 18-20, the "...includes an administration system..." is taught by Ciarlante at col. 6, lines 35-38, the "...that provides a Web interface..." is taught by Takahashi at col. 6, lines 44-46, the "...for permitting authorized users..." is taught by Ciarlante at col. 9, lines 17-20, and the "...to perform centralized system administration functions..." is taught by Ciarlante at col. 6, lines 13-38 and col. 5, lines 13-18.

14. As per claim 5, the "...said administration system performs a password protected log-in procedure..." is taught by Ciarlante at col. 6, lines 35-38, col. 9, lines 24-26, and col. 7, lines 6-7 and the "...to permit only authorized persons to perform administration functions..." is taught by Ciarlante at col. 9, lines 17-20, col. 6, lines 35-38, and col. 5, lines 13-18.

15. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi, Park, Ciarlante, Stern, Tavor, Bieganski, and Suzuki as applied to claim 1 above, and further in view of Peyer (U.S. Patent No. 6,188,401), Burdick (U.S. Patent No. 6,155,928), and Anderson et al. (U.S. Patent No. 4,319,336).

As per claim 2, the "...for installing and managing the integrated operation..." is taught by Takahashi at col. 6, lines 14-23, col. 7, lines 53-54, and col. 3, lines 54-56,

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the "...of said application program modules..." is taught by Ciarlante at col. 2, lines 18-20,

the "...said sales system..." is taught by Park at col. 2, lines 6-12,

the "...by automatically issuing prompts..." is taught by Ciarlante at col. 5, lines 48-50,

"...during the course of the installation..." is taught by Takahashi at col 11, lines 36-42 and col. 6, lines 14-23,

the "...of said application program modules..." is taught by Ciarlante at col. 2, lines 18-20,

the "...to modify said integrated system..." is taught by Takahashi at col. 13, lines 64-65, col. 14, lines 1-4, and col. 3, lines 54-56,

but the "...includes pre-written operating system scripts..."

the "...for rapidly deploying..."

the "...onto one or more target computers..."

the "...and accepting data values..."

and the "...in accordance with the needs of an individual installation..." are not taught by either Takahashi, Park, Ciarlante, Stern, Tavor, Bieganski, or Suzuki.

However, Peyer teaches the use of pre-written scripts as follows:

"...The Windows operating system allows developers to utilize pre-written software components to implement user controls and makes possible a unified "look and feel" across a wide range of applications..." at col. 1, lines 27-30.

"...The invention utilizes a supervisory application program that runs under an operating system such as Windows CE. The application program implements an extended document object model for use by the global script and by scripts embedded in HTML control elements..." at col. 2, lines 11-15.

It would have been obvious to one of ordinary skill at the time of the invention to combine Peyer with Takahashi, Park, Ciarlante, Stern, Travor, Bieganski, and Suzuki since Takahashi, Park, Ciarlante, Stern, Travor, Bieganski, Suzuki, and Peyer teach the use of computers and the use of networks, Park, Ciarlante, Stern, Travor, Bieganski, Suzuki, and Peyer teach the use of customers and the use of products, and Takahashi, Ciarlante, Stern, Travor, Bieganski, and Peyer teach the use of the Internet and the use of applications or programs.

Peyer does not teach the use of rapid deployment, the use of target computers, the accepting of data values, and the needs of individual institutions.

However, Burdick teaches the use of rapid deployment and the use of target computers as follows:

"...Accordingly, the gaming simulation stations 50 can be efficiently stored in a transport trailer 18 in a configuration that facilitates rapid deployment of the gaming simulator system 10 because, among other things, the gaming simulation station 50 stays mounted to the sidewalls 30a, 30b when being transported and when deployed..." at col. 10, lines 41-46.

"...For instance, NASCAR Racing 2 provides for the designation of a computer as the server 62 when two or more computers 54 are interconnected for head-to-head competition..." at col. 7, lines 25-28.

It would have been obvious to one of ordinary skill at the time of the invention to combine Burdick with Takahashi, Park, Ciarlante, Stern, Travor, Bieganski, Suzuki, and Peyer since Takahashi, Park, Ciarlante, Stern, Travor, Bieganski, Suzuki, Peyer, and Burdick teach the use of computers and the use of networks, Park, Ciarlante, Stern, Travor, Bieganski, Suzuki, Peyer, and Burdick teach the use of products, Takahashi,

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Ciarlante, Stern, Travor, Bieganski, Suzuki, and Burdick teach the use of servers, Takahashi, Ciarlante, Stern, Travor, Bieganski, Peyer, and Burdick teach the use of applications or programs, and Park, Stern, Travor, Bieganski, Suzuki, and Burdick teach the use of sales.

Burdick does not teach the accepting of data values and the needs of individual institutions.

However, Anderson teaches the accepting of data values and the needs of individual institutions as follows:

"...The OK key indicates the data entered is acceptable..." at col. 21, line 12.

"...This reduces the number of tellers an institution needs, and accordingly the costs..." at col. 2, lines 11-13.

"...The ability to customize both transaction types available and display contents allows any member of a pool to enjoy all of the features described previously for an individual institution..." at col. 44, lines 57-60.

It would have been obvious to one of ordinary skill at the time of the invention to combine Anderson with Takahashi, Park, Ciarlante, Stern, Travor, Bieganski, Suzuki, Peyer, and Burdick since Takahashi, Park, Ciarlante, Stern, Travor, Bieganski, Suzuki, Peyer, Burdick, and Anderson teach the use of computers, Takahashi, Park, Ciarlante, Stern, Travor, Bieganski, Suzuki, and Anderson teach the use of databases, Takahashi, Ciarlante, Stern, Travor, Bieganski, Peyer, Burdick, and Anderson teach the use of applications or programs, Park, Ciarlante, Stern, Travor, Bieganski, Suzuki, Peyer, and Anderson teach the use of customers, and Park, Ciarlante, Stern, Travor, and Anderson teach the use of reports.

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16. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi, Park, Ciarlante, Stern, Tavor, Bieganski, Suzuki, Peyer, Burdick, and Anderson as applied to claim 2 above, and further in view of Strader et al. (U.S. Patent No. 6,026,440).

As per claim 3, the "...said means for installing..." is taught by Takahashi at col. 6, lines 14-23,

"...and wherein said scripts when executed..." is taught by Peyer at col. 1, lines 27-30 and col. 2, lines 11-15,

the "...issue prompts..." is taught by Ciarlante at col.5, lines 48-50,

the "...and accept data..." is taught by Anderson at col. 21, line 12,

the "...for modifying the content..." is taught by Takahashi at col. 13, lines 64-65, col. 14, lines 1-4, and col. 11, lines 6-12,

the "...in accordance with the needs of an individual installation..." is taught by Anderson at col. 2, lines 11-13 and col. 44, lines 57-60,

but the "...comprises a set of template configuration files..."

and the "...of said template configuration files..." are not taught by either Takahashi, Park, Ciarlante, Stern, Tavor, Bieganski, Suzuki, Peyer, Burdick, or Anderson.

However, Shrader teaches the use of template configuration files as follows:

"...One of the preferred implementations of the account manager of the invention is as a set of instructions (program code) in a code module resident in the random access memory of the computer..." at col. 23, lines 49-52.

"...Responses to the prompts will be used to fill out the ??? marks in the following template configuration file..." at col. 18, lines 23-26.

It would have been obvious to one of ordinary skill at the time of the invention to combine Schrader with Takahashi, Park, Ciarlante, Stern, Tavor, Bieganski, Suzuki, Peyer, Burdick, and Anderson since Takahashi, Park, Ciarlante, Stern, Tavor, Bieganski, Suzuki, Peyer, Burdick, Anderson, and Schrader teach the use of computers, Takahashi, Park, Ciarlante, Stern, Tavor, Bieganski, Suzuki, Anderson, and Schrader teach the use of databases, Takahashi, Park, Ciarlante, Stern, Tavor, Bieganski, Suzuki, Peyer, Burdick, and Schrader teach the use of networks, Takahashi, Ciarlante, Stern, Tavor, Bieganski, Peyer, Burdick, Anderson, and Schrader teach the use of applications or programs, Park, Ciarlante, Stern, Tavor, Bieganski, Suzuki, Peyer, Burdick, and Schrader teach the use of products, Takahashi, Ciarlante, Stern, Tavor, Bieganski, Suzuki, Burdick, and Schrader teach the use of servers, Takahashi, Ciarlante, Stern, Tavor, Bieganski, Peyer, and Schrader teach the use of the Internet, Takahashi, Park, Ciarlante, Stern, Tavor, and Schrader teach the use of management, Takahashi, Park, Stern, Tavor, Bieganski, and Schrader teach the use of transactions, and Park, Ciarlante, Stern, Tavor, Anderson, and Schrader teach the use of reports.

17. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi (U.S. Patent No. 6,529,918), Park (U.S. Patent No. 6,058,375), Ciarlante et al. (U.S. Patent No. 6,532,488), Stern (U.S. patent No. 6,366,914), Tavor et al. (U.S. Patent No. 6,070,149), Bieganski et al. (U.S. Patent No. 6,334,127), Suzuki (U.S. Patent No. 6,313,745), and Peyer (U.S. Patent No. 6,188,401).

18. Takahashi renders obvious independent claim 6 by the following:

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"...providing a web database server connected to the Internet..." at col. 6, lines 55-56 and col. 10, lines 54-58.

"...for execution on said web database server..." at col. 7, lines 10-13 and col. 6, lines 55-56.

Takahashi does not teach the storing of product, customer, and sales transaction data, the use of database tables, the use of a storefront applications, the use of content management applications for creating and updating product data, the use of analysis of the customer and sales transaction data for predicting the preferences of individual customers and making real-time recommendations during shopping sessions, the presenting of advertising to customers during shopping sessions, and the analyzing of sales transaction data to generate reports, and the use of pre-written scripts.

19. However. Park teaches the storing of product, customer, and sales transaction data and the analyzing of sales transaction data to generate reports as follows:

"...for storing product, customer and sales transaction data..." at col. 11, lines 19-25, col. 29, lines 47-50, col. 29, lines 25-27, and col. 6, lines 17-24.

"...and a reporting system for analyzing said sales transaction data to generate reports..." at col. 5, lines 44-59, col. 6, lines 17-24, and col. 4, lines 32-34.

It would have been obvious to one of ordinary skill at the time of the invention to combine Park with Takahashi since both Takahashi and Park teach the use of computers, the use of databases, the use of networks, the use of transactions, and the use of management.

Park does not teach the use of database tables, the use of a storefront applications, the use of content management applications for creating and updating product data, the use of analysis of the customer and sales transaction data for predicting the preferences of individual customers and making real-time recommendations during shopping sessions, the presenting of advertising to customers during shopping sessions, and the use of pre-written scripts.

20. However, Ciarlante teaches the use of database tables and the use of a storefront application executing on the web server as follows:

"...in database tables..." at col. 6, lines 19-22.

"...a storefront application..." col. 4, lines 25-27.

"...stored in said database tables..." at col. 6, lines 19-22.

It would have been obvious to one of ordinary skill at the time of the invention to combine Ciarlante with Takahashi and Park since Takahashi, Park, and Ciarlante teach the use of computers, the use of databases, the use of networks, and the use of management, Takahashi and Ciarlante teach the use of servers, the use of the Internet, and the use of applications or programs, and Park and Ciarlante teach the use of customers, the use of products, and the use of reports.

Ciarlante does not teach the use of content management applications for creating and updating product data, the use of analysis of the customer and sales transaction data for predicting the preferences of individual customers and making real-time recommendations during shopping sessions, the presenting of advertising to customers during shopping sessions, and the use of pre-written scripts.

21. However, Stern teaches the use of content management applications for creating and updating product data as follows:

"...installing a content management application for creating and updating product data..." at col. 8, lines 37-39, col. 8, lines 55-57, and col. 15, lines 16-19.

It would have been obvious to one of ordinary skill at the time of the invention to combine Stern with Takahashi, Park, and Ciarlante since Takahashi, Park, Ciarlante, and Stern teach the use of computers, the use of databases, the use of networks, and the use of management, Takahashi, Park, and Stern teach the use of transactions, Takahashi, Ciarlante, and Stern teach the use of servers, the use of the Internet, and the use of applications or programs, and Park, Ciarlante, and Stern teach the use of customers, the use of products, and the use of reports.

Stern does not teach the use of analysis of the customer and sales transaction data for predicting the preferences of individual customers and making real-time recommendations during shopping sessions, the presenting of advertising to customers during shopping sessions, and the use of pre-written scripts.

22. However, Travor teaches the use of analysis of the customer and sales transaction data as follows:

"...installing a recommendation application for analyzing said customer and sales transaction data..." at col. 8, lines 1-4, at col. 5, lines 56-60, col. 3, lines 11-18.

It would have been obvious to one of ordinary skill at the time of the invention to combine Travor with Takahashi, Park, Ciarlante, and Stern since Takahashi, Park, Ciarlante, Stern, and Travor teach the use of computers, the use of databases, the use

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of networks, and the use of management, Takahashi, Park, Stern, and Travor teach the use of transactions, Takahashi, Ciarlante, Stern, and Travor teach the use of servers, the use of the Internet, and the use of applications or programs, Park, Ciarlante, Stern, and Travor teach the use of customers, the use of products, and the use of reports, and Park, Stern, and Travor teach the use of sales.

Travor does not teach the predicting of the preferences of individual customers and making real-time recommendations during shopping sessions, the presenting of advertising to customers during shopping sessions, and the use of pre-written scripts.

23. However, Bieganski teaches the predicting of the preferences of individual customers and the presenting of advertising to customers as follows:

"...installing a profiling application for accumulating customer profile data describing the activity of individual customers..." at col. 6, lines 3-4, col. 11, lines 27-29, and col. 18, lines 17-19.

"...customer profile data..." at col. 6, lines 3-4.

"...for predicting the preferences of individual customers..." at col. 1, lines 38-40 and col. 18, lines 17-19.

"...installing an advertising management application for selectively presenting advertising to each customer..." at col. 16, lines 24-28 and col. 18, lines 17-19.

It would have been obvious to one of ordinary skill at the time of the invention to combine Bieganski with Takahashi, Park, Ciarlante, Stern, Travor since Takahashi, Park, Ciarlante, Stern, Travor, and Bieganski teach the use of computers, the use of databases, and the use of networks, Takahashi, Park, Stern, Travor, and Bieganski

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teach the use of transactions, Takahashi, Ciarlante, Stern, Travor, and Bieganski teach the use of servers, the use of the Internet, and the use of applications or programs, Park, Ciarlante, Stern, Travor, and Bieganski teach the use of customers and the use of products, and Park, Stern, Travor, and Bieganski teach the use of sales.

Bieganski does not teach the making real-time recommendations during shopping sessions and the use of pre-written scripts.

24. However, Suzuki teaches the making real-time recommendations during shopping sessions as follows:

"...during shopping sessions..." at col. 8, lines 28-35 and col. 8, lines 43-46.

"...and for making specific real-time recommendations to customers during a shopping session..." at col. 4, lines 8-11, col. 8, lines 28-35, and col. 8, lines 43-46.

"...during a shopping session..." at col. 8, lines 28-35 and col. 8, lines 43-46.

It would have been obvious to one of ordinary skill at the time of the invention to combine Suzuki with Takahashi, Park, Ciarlante, Stern, Travor, and Bieganski since Takahashi, Park, Ciarlante, Stern, Travor, Bieganski, and Suzuki teach the use of computers, the use of databases, and the use of networks, Takahashi, Ciarlante, Stern, Travor, Bieganski, and Suzuki teach the use of servers, Park, Ciarlante, Stern, Travor, Bieganski, and Suzuki teach the use of customers and the use of products, and Park, Stern, Travor, Bieganski, and Suzuki teach the use of sales.

Suzuki does not teach the use of pre-written scripts.

25. However, Peyer teaches the use of pre-written scripts as follows:

"...and providing an integrated set of one or more pre-written operating system installation scripts..." at col. 1, lines 27-30 and col. 2, lines 11-15.

It would have been obvious to one of ordinary skill at the time of the invention to combine Peyer with Takahashi, Park, Ciarlante, Stern, Travor, Bieganski, and Suzuki since Takahashi, Park, Ciarlante, Stern, Travor, Bieganski, Suzuki, and Peyer teach the use of computers and the use of networks, Park, Ciarlante, Stern, Travor, Bieganski, Suzuki, and Peyer teach the use of customers and the use of products, and Takahashi, Ciarlante, Stern, Travor, Bieganski, and Peyer teach the use of the Internet and the use of applications or programs.

26. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi, Park, Ciarlante, Stern, Tavor, Bieganski, Suzuki, and Peyer as applied to claim 6 above, and further in view of Anderson.

As per claim 7, the "...said pre-written operating system scripts...", is taught by Peyer at col. 1, lines 27-30 and col. 2, lines 11-15,
the "...automatically perform the steps of issuing prompts...", is taught by Ciarlante at col. 5, lines 48-50,
the "...during the course of the installation...", is taught by Takahashi at col. 11, lines 36-42 and col. 6, lines 14-23,
the "...of said application program modules...", is taught by Ciarlante at col. 2, lines 18-20,
"...to modify the operation of applications...", is taught by Takahashi at col. 14, lines 1-4 and col. 7, lines 10-13,

but the "...and accepting data values..."

and the "...in accordance with the needs of an individual installation..." are not taught by either Takahashi, Park, Ciarlante, Stern, Tavor, Bieganski, Suzuki, or Peyer.

However, Anderson teaches the accepting of data values and the needs of individual institutions as follows:

"...The OK key indicates the data entered is acceptable..." at col. 21, line 12.

"...This reduces the number of tellers an institution needs, and accordingly the costs..." at col. 2, lines 11-13.

"...The ability to customize both transaction types available and display contents allows any member of a pool to enjoy all of the features described previously for an individual institution..." at col. 44, lines 57-60.

It would have been obvious to one of ordinary skill at the time of the invention to combine Anderson with Takahashi, Park, Ciarlante, Stern, Tavor, Bieganski, Suzuki, and Peyer since Takahashi, Park, Ciarlante, Stern, Tavor, Bieganski, Suzuki, Peyer, and Anderson teach the use of computers, Takahashi, Park, Ciarlante, Stern, Tavor, Bieganski, Suzuki, and Anderson teach the use of databases, Takahashi, Ciarlante, Stern, Tavor, Bieganski, Peyer, and Anderson teach the use of applications or programs, Park, Ciarlante, Stern, Tavor, Bieganski, Suzuki, Peyer, and Anderson teach the use of customers, and Park, Ciarlante, Stern, Tavor, and Anderson teach the use of reports.

27. As per claim 7, the "...said pre-written operating system scripts..." is taught by Peyer at col. 1, lines 27-30 and col. 2, lines 11-15,

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the "...automatically perform the steps of issuing prompts...", is taught by Ciarlante at col. 5, lines 48-50,

the "...and accepting data values...", is taught by Anderson at col. 21, line 12,

the "...during the course of the installation...", is taught by Takahashi at col. 11, lines 36-42 and col. 6, lines 14-23,

the "...of said application program modules...", is taught by Ciarlante at col. 2, lines 18-20,

the "...to modify the operation of applications...", is taught by Takahashi at col. 14, lines 1-4 and col. 7, lines 10-13,

and the "...in accordance with the needs of an individual installation...", is taught by Anderson at col. 2, lines 11-13 and col. 44, lines 57-60,

28. As per claim 8, the "...each of said applications...", is taught by Ciarlante at col. 2, lines 18-20,

the "...accesses a configuration file...", is taught by Traver at col. 10, lines 14-19,

the "...and wherein the steps of issuing prompts...", is taught by Ciarlante at col. 5, lines 48-50,

the "...and accepting data...", is taught by Anderson at col. 21, line 12,

the "...modify the content of each of said configuration files...", is taught by Traver at col. 10, lines 14-19,

and the "...in accordance with the needs of an individual installation...", is taught by Anderson at col. 2, lines 11-13 and col. 44, lines 57-60,

29. As per claim 9, the "...installing an administration application and employing said administration application....," is taught by Ciarlante at col. 1, lines 33-36 and col. 5, lines 13-18, the "...to present a centralized menu system....," is taught by Park at col 10, lines 36-67 and col. 11, lines 1-11, the "...to an authorized user....," is taught by Ciarlante at col. 9, lines 17-20, and the "...for performing centralized system administration functions.....," is taught by Ciarlante at col. 6, lines 13-38 and col. 5, lines 13-18.

30. As per claim 10, the "...said administration system performs a password protected log-in procedure....," is taught by Ciarlante at col. 6, lines 35-38, col. 9, lines 24-26, and col. 7, lines 6-7, the "...to permit only authorized persons to perform said centralized administration functions....," is taught by Ciarlante at col. 9, lines 17-20, col. 6, lines 35-38, and col. 5, lines 13-18, and the "...using said centralized menu system....," is taught by Park at col 10, lines 36-67 and col. 11, lines 1-11.

Conclusion

31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harold E. Dodds, Jr. whose telephone number is (703)-305-1802. The examiner can normally be reached on Monday - Friday 8:00 - 4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (703)-305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Harold E. Dodds, Jr.

Harold E. Dodds, Jr.

Patent Examiner

March 24, 2003


GRETA ROBINSON
PRIMARY EXAMINER